REMARKS

Reconsideration of this application is respectfully requested in view of the foregoing amendment and the following remarks.

Claims 1-12 were pending in this application. Claims 1, 3, and 10 have been amended and new claim 13 has been added. Accordingly, claims 1-13 will be pending herein upon entry of this Amendment, of which claims 1, 3, and 10 are independent claims. Support for the amendment to each of the claims and new claim 12 can be found, for example, at page 6, lines 1-5 of the present application. For the reasons stated below, Applicants respectfully submit that all claims pending in this application are in condition for allowance.

In the final Office Action, claims 1, 2, 7-10 and 12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Frerichs et al. (U.S. Patent 6,684,249) and Brandt et al. (U.S. Patent 6,701,355). To the extent these rejections might still be applied to claims presently pending in this application, they are respectfully traversed.

The methods as claimed in amended claims 1 and 3 recite the <u>substituting step as carried out at an edge server</u> and <u>the establishing and inserting steps as carried out at an edge server,</u> respectively. Similarly, amended claim 10 recites that <u>the insertion plugin is located at a server side rather than a user side</u>.

The present invention addresses a <u>server-side</u> plugin for the streaming media server, which is located between the source stream and the client, or what may alternatively be thought of as being between the edge server and the rebroadcast data stream. The benefits of a server-side plugin are described at, for example, page 4, lines 13-37 of the present application.

Frerichs fails to teach or suggest the above features of amended claims 1, 3, and 10. As described at column 2, lines 14-19, the method described in Frerichs is for inserting targeted advertisement into streaming audio at a client location such as a personal computer. As described at the Background section of the present invention, client-side plugin has disadvantages such as requiring a special software resident on a client machine, locally inserting and caching data, and so on, thereby creating numerous limitations. Accordingly, the present invention discloses a server-side rather than the client-side plugin insertion method, as described in Frerichs.

Brandt relates to an insertion and encoder system that monitors broadcasts from a first broadcasting system to determine the presence of segments that can be substitute in a second broadcast. The system and method access an inventory of sold substituting segments and substitutes a sold segment for an unsold segment in real time. Similarly, Brandt does not teach or suggest at least that the substituting step is carried out at an edge server, as recited in amended claims 1 and 3 and the inserting plugin is located at a server side rather than a user side, as recited in amended claim 10.

Accordingly, Applicants respectfully submit that it would not have been obvious for one skilled in the art to combine Frerichs with Brandt to achieve the methods recited in amended claims 1, 3, and 10 because the insertion method of Frerichs is carried out at the client side, which is not the purpose of the present invention. Therefore, Applicants respectfully submit that the pending claims 1-13 should be patentable over Frerichs in view of Brandt.

In view of the foregoing, all of the claims in this case are believed to be in condition for

allowance. Should the Examiner have any questions or determine that any further action is

desirable to place this application in even better condition for issue, the Examiner is encouraged

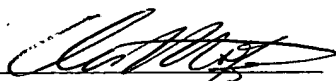to telephone Applicants' undersigned representative at the number listed below.

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